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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.3565 of 2005

Applicants

1. Bhuwaneshwar Patel son of K.L. Patel, working as Upper Division Teacher at Govt. Higher Secondary School, Koda Tarai, District Raigarh, resident of Kamla Nagar, Khladula, Raigarh.
2. Hitendra Sing Patel Son of Late J.L. Patel working as Upper division teacher at Govt. Higher Secondary School Kotmi Dhabhra, District Janjgir resident of Dargapara, Chopdagali, Raigarh.
3. Harish Chandra Behra, Son of Sudarshan behra, working as Upper division teacher at Govt. girls Middle School, Ghargoda, District Raigarh resident of village Barod, Ghargoda, District Raigarh.
4. Smt. Usha Bala Sinha wife of Anjani Kant Singh working as Upper division teacher at Govt. Higher Secondary School, Sipat Bilaspur resident of Sohagwati Bhavan, Shankar Nagar, Bilaspur.
5. Ku. Rita Dubey daughter of C.N. Dubey working as Upper division teacher at Govt. Higher Secondary School Jairamnagar, Bilaspur, resident of Dhanmandi Road, Torwa, Bilaspur.
6. Ashok Kumar Gupta son of Shiv Prasad Gupta, working as Upper division teacher at Govt. Higher Secondary School, Salka Nawagaon, Kaegiroad, Bilaspur resident of Padavpara, Kargiroad, Bilaspur.
7. Smt. Nivedita Sharma, wife of D.K. Sharma, working as upper division teacher at Govt. Higher Secondary School, Rohod, District Janjgir.
8. Rishikumar Kashyap, son of Lekhram Kashyap, aged 34 years, working as Upper division teacher at Govt. Higher Secondary School, Semartal, Bilaspur resident Block colony, Takhatpur, District Bilaspur.
9. Chandra Shekhar Singh Rajput, son of Uday Singh Rajput working as Upper division teacher at Govt. Higher Secondary School, Masturi, District Bilaspur resident of village Devari, Shantipur, Kargi Road, Bilaspur.
10. Ku. Kavita Tiwari daughter of K.K. Tiwari, working as upper division teacher at Govt. Higher Seconary School, Kududand, Bilaspur resident of Agenya

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Nagar Bilaspur.

11. Ku. Alka Bhattacharya (Ganguli) daughter of D.K. Ganguli, working as Upper division teacher at Govt. Higher Secondary School, Sakri, Bilaspur resident of Near Torwa, Primary School Torwa, Bilaspur.
12. Ku. Pramila Paul, daughter of A.L. Paul, working as Upper division teacher at Govt. Higher Secondary School, Sakri, Bilaspur resident of Palash 10, Raj Kishore Nagar, Bilaspur.
13. Arwind Singh Chandel, son of G.S. Chandel, working as upper division teacher at Govt. Middle School, Devri Khurd, Bilaspur, resident of Adarsh colony, Bilaspur.
14. Babulal Patel, son of Gayaram Patel working as upper division teacher at Govt. Higher Secondary School, Kondtarai, Raigarh Resident of Bazar muda, via. Tamnar, district Raigarh.

Versus

Respondents

1. The State of Chhattisgarh, Through the Secretary, Department of School Eudcation D. K. Bhawan, Raipur, Chhattisgarh
2. The Director, Public Instructions School Education, Government of Chhattisgarh, Jail Road, Raipur, Chhattisgarh.
3. District Education Officer, Government of Chhattisgarh, Opposite collectorate Office, Bilaspur Chhattisgarh.
4. District Education Officer, Government of Chhattisgarh, Raigarh Chhattisgarh.
5. District Education Officer, Government of Chhattisgarh, Janjgir Champa Chhattisgarh.

(APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri V.K. Tekam, counsel for the petitioners.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State/ respondents.

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ORDER
(Passed on 26th June, 2007)

1. The question of law involved herein is as to whether the petitioners are entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period.

2. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are the same to that of in W.P. No.1463/2006 **(Aeman Jain Vs. The State Government of Chhattisgarh & another)**, which was allowed vide order dated 10.11.2006.

3. However, the State government is at liberty to verify the appointment of the petitioners in order to find out whether the fact of the present case are identical to that of W.P.(S) No. 1463/2006 (supra)

4. In view of the above-stated submissions made by learned counsel for the parties, the writ petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

B/-